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September 29, 2010

Hon. Eric N. Vitaliano  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201  
Dear Judge Vitaliano,

Re: US v. Konstantinos Papachristou  
09 Cr. 128 ENV

This letter addresses the government's request for defendant's medical records. The defendant has no objection to the government seeing those records relevant to defendant's ability to participate in the preparation of his defense and trial, but I, as his counsel, should have the opportunity to review the records first to ensure that other private and privileged matters that may be in the records are not disclosed. If, upon my review, I determine that there are such matters, I would redact them and then send copies of the redacted records to the Court and government. Defendant's lack of objection to disclosure under these conditions is, of course, premised on his Constitutional right that nothing so disclosed for these pretrial issues tangential to the guilt phase of the proceedings be admissible by the government for any purposes at trial.

I telephoned the office of defendant's current doctor yesterday and left the message requesting a copy of the complete records. I was told that the doctor would contact me, but as of the writing of this letter this morning, I have not received a call. I will, of course, update the Court and parties on the progress of obtaining the records.

Thank you for your attention.

Respectfully,

LAWRENCE MARK STERN  
Attorney for Defendant

cc: Martin Coffey, AUSA  
John Wallenstein, Esq.

